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Attorneys for Defendant

Attorneys for Defendant

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRCIT OF CALIFORNIA

SACRAMENTO DIVISION

KAREN LYNETTE LAMBERT, No. 2:22-cv-00174-EFB (SS)

Plaintiff,) STIPULATION AND PROPOSED ORDER
vs.) FOR ATTORNEY'S FEES PURSUANT TO
) THE EQUAL ACCESS TO JUSTICE ACT,
) 28 U.S.C. SECTION 2812(d)

KILOLO KIJAKAZI, Acting Commissioner
of the Social Security Administration,

Defendant.

It is hereby stipulated by and between the parties through their undersigned counsel, subject to the approval of the Court, that Karen Lynette Lambert, will be awarded attorney fees in the amount of EIGHT THOUSAND THREE HUNDRED and NO CENTS DOLLARS (\$8,300.00) under the Equal Access to Justice Act (EAJA), 28 U.S.C. section 2412(d). This amounts represents compensation for all legal services rendered on behalf of Plaintiff by counsel in connection with this civil action, in accordance with 28 U.S.C. 2412(d).

After the Court issues an Order for EAJA fees to Karen Lynette Lambert, the Defendant will consider any assignment of EAJA fees to John V. Johnson pursuant to Astrue v. Ratliff, 130 S.Ct. 2521, 2252-2253 (2010), and the ability to honor any such assignment will depend on whether the fees are

subject to any offset allowed under the United States Department of Justice's Offset program. After the order for EAJA fees is entered, the Defendant will determine whether they are subject to any offset.

Fees shall be made payable to Karen Lynette Lambert, but if the Department of the Treasury determines that Karen Lynette Lambert, does not owe a federal debt, then the government shall cause the payment of fees to be made directly to John V. Johnson, pursuant to any assignment executed by Plaintiff. Any payment made shall be delivered directly to John V. Johnson.

This stipulation constitutes a compromise settlement of Karen Lynette Lambert's request for EAJA attorney fees and does not constitute an admission of liability on the part of the Defendant under EAJA. Payment of the agreed amount shall constitute complete release from, and bar to, any and all claims that Karen Lynette Lambert, and/or John V. Johnson, INCLUDING COUNSEL'S FIRM, may have relating to EAJA attorney fees in connection with this action. This award is without prejudice to the right of John V. Johnson and his counsel's firm to seek Social Security Act attorney fees under 42 U.S.C. Section 406(b) subject to the savings clause provisions of EAJA.

Respectively Submitted,

DATED: May 3, 2023

Philip A. Talbert
United States Attorney
MATHEW W. PILE
Associate General Counsel
Social Security Administration

/s/ Ellinor Coder
ELLINOR CODER
Special Assistant United States Attorney
Social Security Administration
Attorney for Defendant

DATED: May 3, 2023

/s/ John V. Johnson
JOHN V. JOHNSON
Attorney for Plaintiff

ORDER

Based upon the parties stipulation for the Award and Payment of Equal Access to Justice Act Fees, Costs, and Expenses, IT IS ORDERED that fees and expenses in the amount of \$8,300.00 as

III

1 authorized by 28 U.S.C. Section 2412, and costs in the amount of \$0.00 as authorized by 28 U.S.C.
2 1920, be awarded subject to the Terms of the Stipulation.

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4 DATED: May 10, 2023


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NOTICE OF ASSIGNMENT

I, Karen Lynette Lambert, do hereby assign any award of attorney's fees under the Equal Access to Justice Act (EAJA) from the U.S. Treasury to Mr. John V. Johnson, attorney at law, for his services and representation on my behalf before the U.S. District Court for the Eastern District of California and the Court of Appeals for the Ninth Circuit in regards to my claim of continuing to be disabled and entitled to a continuation of Title II Disability Insurance and Title XVI Supplemental Security Income. I further request that the Social Security Administration send the assigned attorney's fees directly to Mr. John V. Johnson, Esq., who has my authorization to take all necessary actions to effectuate the assignment of the EAJA attorney fees.

DATED: September 4, 2020



Karen Lynette Lambert